

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

ERNESTO RAY LOYA,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. CIV-20-922-C
	)	
RICK WHITTEN, Warden,	)	
	)	
Respondent.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Petitioner brought the present action pursuant to 28 U.S.C. § 2254, seeking habeas corpus relief. Consistent with the provisions of 28 U.S.C. § 636(b)(1)(B), this action was referred to United States Magistrate Judge Suzanne Mitchell, who entered a Report and Recommendation (“R&R”) on June 7, 2021. In the R&R, Judge Mitchell recommended Petitioner’s request for habeas relief be denied. Petitioner has filed an Objection to the R&R.

The facts and law are accurately set out in the R&R and there is no purpose to be served in repeating them yet again. Even after considering the arguments raised by Petitioner in his Objection, it is clear that he is not entitled to relief. Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge (Dkt. No. 21). Petitioner’s habeas petition (Dkt. No. 1) is DISMISSED with prejudice. A separate judgment shall issue.

IT IS SO ORDERED this 6<sup>th</sup> day of August 2021.

  
ROBIN J. CAUTHRON  
United States District Judge